IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Hyun-Kwon CHUNG et al

Application No. 10/716,868 Group Art Unit: 2178

Confirmation No. 5648

Filed: November 20, 2003 Examiner: Manglesh M. Patel

For: METHOD AND APPARATUS FOR DISPLAYING MARKUP DOCUMENT LINKED TO APPLET

PRE-APPEAL BRIEF CONFERENCE REQUEST

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: **BOX AF**

Sir:

This is a request accompanying a Notice of Appeal requesting review of the Final Office Action mailed August 6, 2008, and having a period for response set to expire on November 6, 2008.

Pursuant to 1296 OG 67 and 1303 OG 21, the applicants request review of the final rejection in the above-identified application based on the failure of the applied references and their combination to disclose or suggest each and every feature of at least independent claims 1, 9, 15, and 19. Claims 1-21 are pending.

No amendments are filed with this request.

REJECTIONS UNDER 35 U.S.C. §103:

On page 2, item 5 of the Final Office Action, claims 1-21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Purnaveja (U.S. Patent No. 6,006,241), in view of Sani (NPL – Java Applets #4, April 1998, irt.org, pages 1-6). The rejection is respectfully traversed.

It is respectfully submitted that Purnaveja and Sani, either alone or in combination, fail to

disclose or suggest a method of displaying a markup document and a linked applet within the markup document, the method comprising: delaying display of image output information for the markup document using image output delay information used to delay display of the markup document, and included in the applet or the markup document; and synchronizing the delayed image output information for the markup document with applet output information for the applet linked to the markup document, when rendering of the applet is completed, such that the delayed image output information for the markup document and the applet output information for the applet are displayed simultaneously, wherein the applet is formed using the Java programming language, as recited in claim 1.

Also, it is respectfully submitted that Purnaveja and Sani, either alone or in combination, fail to disclose or suggest an information storage medium encoded with computer and/or processor-executable instructions used to control a computer to display a markup document and a linked applet within the markup document, comprising: the markup document; and the applet linked to the markup document, wherein the applet or the markup document includes markup image output delay information used to delay display of the markup document such that image output information of the markup document and applet output information of the applet are synchronized to be displayed simultaneously, and the applet is formed using the Java programming language, as recited in claim 9.

Also, it is respectfully submitted that Purnaveja and Sani, either alone or in combination, fail to disclose or suggest a computer system with a display device to display a markup document and a linked applet within the markup document, comprising: a presentation engine, which interprets the markup document to provide image output information for the markup document; and an applet executing engine, which interprets the applet linked to the markup document to provide an applet output, wherein the presentation engine delays display of the image output information for the markup document using image output delay information used to delay display of the markup document, and included in the applet or the markup document, and synchronizes and outputs the delayed image output information of the markup document and the applet output to the display device for simultaneous display, when an output control signal indicating completion of rendering of the applet output is input from the applet executing engine, and the applet is formed using the Java programming language, as recited in claim 15.

Also, it is respectfully submitted that Purnaveja and Sani, either alone or in combination, fail to disclose or suggest a computer system with a display device to display a markup

document image and a linked applet image within the markup document image, comprising: a programmed computer processor to control synchronous output of the markup document image including the linked applet image to the display device, according to display control information included in the markup document image and/or in the linked applet image, so that the markup document image and the linked applet image are displayed simultaneously as a markup image, wherein the applet is formed using the Java programming language, as recited in claim 19.

First, instead of delaying of the display of image output information for the markup document using image output delay information used to delay display of the markup document, for example, Purnaveja simply discusses synchronously handling the video and annotation streams, providing URL address for synchronizing HTML page flips with video streams to a web browser 950, or synchronizing display of a ticker with a video stream at col. 9, lines 34-58. In other words, Purnaveja discloses synchronizing items relative to a video stream, whether those items are annotation streams, HTML page flips, or ticker applets. Thus, in Purnaveja, it is the video stream that would be delayed due to the playout buffer(s) 966, video/audio decoder(s) 964, and video/audio renderer(s) 965 that handle the video/audio stream, instead of the annotation streams, the HTML page flips, the ticker applets, or for that matter, a markup document. Accordingly, Purnaveja does not disclose delaying display of the markup document.

Second, instead of synchronizing a markup document with an applet, Purnaveja discloses synchronizing video/audio frames with annotations. Annotations that are synchronized with the video/audio frames include displayable events, such as HTML pages having Java applets to be displayed in one or more event windows (see, for example, col. 9, lines 47-56, col. 2, lines 45-48, and Abstract at lines 10-12 of Purnaveja). In synchronizing the video/audio frames with the annotations, Purnaveja provides synchronization scripts and associated annotated multimedia streams (see, for example, col. 2, lines 36-39 of Purnaveja). The synchronization scripts include annotation streams, while the annotated multimedia streams include a compressed video stream for display in a video window, an accompanying compressed audio stream, and the annotations (see, for example, col. 2, lines 41-45 of Purnaveja). In turn, the annotation streams are used to synchronize the display of video streams with the annotations, such as HTML pages having the Java applets (see, for example, col. 2, lines 42-46 of Purnaveja).

Accordingly, at most, Purnaveja displays the video streams synchronously with HTML pages having the Java applets. In other words, Purnaveja discloses synchronizing the video

streams with the HTML pages that already include the Java applets, rather than synchronizing the HTML pages with the Java applets. Thus, as Purnaveja fails to disclose or suggest synchronizing a markup document and an applet, Purnaveja is further deficient.

Third, Sani fails to overcome even the acknowledged deficiency of Purnaveja because Sani fails to disclose or suggest delaying display of image output information for the markup document, as defined in claims 1 or 15, or delay of display of the markup document, as defined in claim 9. Instead, as acknowledged in the Office Action, Sani discloses delaying applet data. Specifically, Sani discloses sleep() and suspend() that are specifically applicable to the applet, instead of the markup document (see, pages 2 and 3 of Sani).

Detailed support for the above position is found in the Applicants' Response After Final Rejection filed on October 6, 2008, in the second full paragraph of page 8 through the third full paragraph of page 9.

It is respectfully submitted that a prima facie case of obviousness requires showing or suggestion of each and every feature that is recited in the claims. Because the references, either individually, or in combination, fail to disclose each and every feature recited in claims 1, 9, 15 and 19, a prima facie case of obviousness has not been presented in the Final Office Action. Thus, claims 1, 9, 15 and 19 are patentably distinguishable over the applied references and their combination.

Claims 2-8, which depend from claim 1, claims 10-14, which depend from claim 9, claims 16-18, which depend from claim 15, and claims 20 and 21, which depend from claim 19, are likewise patentably distinguishable over the applied references and their combination for at least the reasons discussed above, and for the additional features they recite. Withdrawal of the rejection is respectfully requested.

CONCLUSION:

Based on the above, there is lack of a prima facie case of obviousness as the applied references and their combination fail to disclose or suggest each and every feature of claims 1, 9, 15, and 19. Accordingly, claims 1, 9, 15, and 19 are patentably distinguishable over the applied references and their combination. The dependent claims are also patentably distinguishable over the applied references and their combination for at least their dependent

from their respective independent claims, and for the additional features.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

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By: Seth S. Kim

Seth S. Kim
Registration No. 54,577

1400 Eye St., N.W.
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510